S.B. Cr. Misc. Bail Application No. 5021/2007
(Rakesh Vs. State of Rajasthan)

Date of order : 09.10.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. P.R.Mehta for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned.

It appears that the petitioner was caught by the police and was found carrying 2800 pouches of illicit liquor in 28 bags. In my view, in such matter, custodial interrogation is necessary.

Learned public prosecutor submits that the State Govt. has issued a notification by which the power under Section 438 Cr.P.C. has been taken away in such matters.

Be that as it may, even otherwise, on merit, the petitioner has no case for anticipatory bail. The bail application filed by the petitioner under Section 438 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR), J.

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